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FEB 10 2005

OFFICE OF PETITIONS

In re Application of :
Friedman, Gray, Roti, Seaman, : DECISION ACCORDING STATUS
Lopata, Cesare : UNDER 37 CFR 1.47(a)
Application No. 10/666,979 :
Filed: 17 September, 2003 :
Atty Docket No. 36287-04402 :

This is in response to the twice renewed petition filed under 37 CFR 1.47(a) on 20 January, 2004.

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventors, Stephen L. Roti and Kelley Cesare, have refused to join in the filing of the above-identified application after having been sent a copy of the application papers. Specifically, the petitioners have established, via the declaration of registered patent attorney Chris L. Holm filed on 29 September, 2004, that a copy of the above-identified application was sent to non-signing inventor Cesare via her attorney, James Lynn. Additionally, petitioners have provided a copy of the cover letter transmitting the application papers to non-signing inventor Roti. The non-signing inventors, however, have both failed to sign and return the declaration naming them as joint inventors along with Allen R. Friedman, Stephen E. Gray, David A. Seaman, and Benjamin B. Lopata.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to non-signing inventor Cesare at the address given in the declaration. Notice will be provided to non-signing inventor Roti at the addresses given in the petition, not the declaration. Notice of the filing of this application will also be published in the Official Gazette.

It is noted that the declaration of registered patent attorney Chris L. Holm provided with the renewed petition is unsigned. The declaration will be considered to have been ratified by attorney Holm's signature on the petition. Petitioners **must** inform the Office if this is an incorrect interpretation.

The application is being referred to Technology Center Art Unit 3624 for examination in due course.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.

A handwritten signature in black ink, appearing to read "D. Wood", written in a cursive style.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions



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Kelly Cesare
c/o Mr. James Lynn, Esq.
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Suite 603
New York NY 10016

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OFFICE OF PETITIONS

In re Application of
Friedman et al.
Application No. 10/666,979
Filed: 17 September, 2003
For: METHOD AND SYSTEM FOR TRANSFER OF EMPLOYEE STOCK OPTIONS

Dear Ms. Cesare:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

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33 Curbside Drive
Woodmere NY 11598

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OFFICE OF PETITIONS

In re Application of
Friedman et al.
Application No. 10/666,979
Filed: 17 September, 2003
For: METHOD AND SYSTEM FOR TRANSFER OF EMPLOYEE STOCK OPTIONS

Dear Mr. Roti:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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